



SDMS DocID

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ORIGINAL



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

MAR 17 2014

Lipic's Recognition
10030 Big Bend Road
Saint Louis, MO 63122-6422

Attn: Steve Lipic, President

Re: Required Submission of Information
Safety Light Corporation Superfund Site
Bloomsburg, Pennsylvania

Dear Mr. Lipic:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the Safety Light Corporation Site, which is a former manufacturing facility occupying approximately 2 acres of a 10-acre property adjacent to the Susquehanna River off Old Berwick Road, Bloomsburg, Columbia County, Pennsylvania (hereafter known as the "Site" or "Facility"). This information request addresses all periods of ownership and operation of any of Safety Light's predecessor or affiliated companies including, but not limited to, U.S. Radium Corporation, Lime Ridge Industries, Inc., USR Industries, Inc., USR Metals, Inc., Metreal Corporation, Isolite Corporation, U.S. Natural Resources, Inc., USR Chemical Products, Inc., USR Lighting Products, Inc., UNATCO Funding Corporation, Evenlite, Inc., Litebar Technology or Shield Source Incorporated. Safety Light Corporation most recently used tritium in the manufacture of self-illuminated signs. Past disposal practices at the Site have resulted in the release of radionuclides including, but not limited to, Radium 226 and tritium into on-site soils and groundwater.

A document obtained from the Site suggests that a business arrangement existed between the Safety Light Corporation and Joseph Lipic Pen Company, which is believed to be a corporate predecessor of Lipic's Recognition. Based on this document, EPA believes that Lipic may have arranged for the disposal of items containing radionuclides at the Safety Light Site. This document, which may assist you (the terms "you," "your" and "Respondent" mean Lipic's Recognition or its predecessors in interest, Joseph Lipic Pen Company and Lipic's Radium Point Pen, referred to herein as "Lipic") in your research, is enclosed with this letter.

Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.

Customer Service Hotline: 1-800-438-2474



Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), EPA has the authority to require Lipic to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your employees or agents, which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), and pollutants and/or contaminants as defined by Section 101(33), 42 U.S.C. Section 9601(33), which were transported to, stored, treated, or disposed of at the above-referenced Facility. Please provide the specific information set forth below, under "Information Requested," for the time period 1945 to the present. EPA recognizes that this request spans a significant period of time and appreciates your cooperation.

Section 104 of CERCLA authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Instructions for responding to this required submission of information follow:

INSTRUCTIONS

1. You may be entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure 1, *Business Confidentiality Claims/Disclosure to EPA Contractors & Grantees of Your Response*. You must clearly mark such information by either stamping or using any other form of notice that such information is trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of a question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.
3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate by the number of the specific question(s) or subpart of the question(s) to which it responds.

4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures, which are defined in CERCLA, shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure 2, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure 2. Those terms shall have the meaning set forth in Enclosure 2 any time such terms are used in this Information Request and/or its Enclosures.

REQUIRED INFORMATION

For the time period 1945 to the present, please answer the following questions in accordance with the Instructions set forth above.

1. Describe in detail any and all business relationship(s) between Lipic and Safety Light or its affiliates (i.e., U.S. Radium Corporation, Lime Ridge Industries, Inc., USR Industries, Inc., USR Metals, Inc., Metreal Corporation, Isolite Corporation, U.S. Natural Resources, Inc., USR Chemical Products, Inc., USR Lighting Products, Inc., UNATCO Funding Corporation, Evenlite, Inc., Litebar Technology or Shield Source Incorporated).
2. Did Lipic ever send, transport or ship, or otherwise arrange for transportation or shipment of, radioactive materials or items containing radionuclides to the Site?
3. Did Lipic ever send, transport or ship, or otherwise arrange for transportation or shipment of, radioactive materials or items containing radionuclides to Safety Light Corporation, U.S. Radium Corporation, Lime Ridge Industries, Inc., USR Industries, Inc., USR Metals, Inc., Metreal Corporation, Isolite Corporation, U.S. Natural Resources, Inc., USR Chemical Products, Inc., USR Lighting Products, Inc., UNATCO Funding Corporation, Evenlite, Inc., Litebar Technology or Shield Source Incorporated?
4. If you answered "yes" to Question 2 or Question 3, please provide the following information for each and every transaction:
 - a. Specify the purpose or reason for each and every transaction.
 - b. Identify the entity to which you sent radioactive materials or items containing radionuclides (i.e., Safety Light Corporation, U.S. Radium Corporation, Lime Ridge Industries, Inc., USR Industries, Inc., USR Metals, Inc., Metreal Corporation, Isolite Corporation, U.S. Natural Resources, Inc., USR Chemical Products, Inc., USR Lighting Products,

Inc., UNATCO Funding Corporation, Evenlite, Inc., Litebar Technology or Shield Source Incorporated);

- c. Provide a detailed description of each radioactive material or item or type of item(s) sent and the amount of radionuclides contained within each such material or item(s);
- d. Identify the method used to send or transport such radioactive materials or items to the Site (e.g., hauler, U.S. mail, etc.);
- e. Provide the date(s) of the pickup and delivery of radioactive material or item(s) containing radionuclides;
- f. Provide all documents relating to the transaction, including but not limited to invoices, and correspondence regarding the type, amount, and transportation/disposal of the radioactive material or item(s) containing radionuclides to the Site;
- g. Provide the name, title, areas of responsibility, current (or most recent) addresses, and telephone numbers of other persons or parties that have documentation or information pertaining to the transportation/disposal of radioactive material or item(s) containing radionuclides to the Site;
- h. If you contracted a hauler or transporter to transport and/or dispose of radioactive material or item(s) containing radionuclides to the Site, explain these arrangements and provide all documentation relating to those transactions. In addition, please identify:
 - i. the persons with whom you, or other such persons, made such arrangements;
 - ii. every date on which such arrangements took place;
 - iii. for each transaction, the nature and quantity of material, including its chemical content, characteristics, physical state (i.e., liquid, solid), and the process for which the substance was used or the process that generated the substance;
 - iv. the persons who selected the Site as the place at which materials were disposed or treated; and
 - v. the names of employees, officers, owners, and agents for each transporter.

- i. For each and every instance in which you/your company sent, transported, or otherwise arranged transportation of radioactive material to the Site, identify:
 - i. the quantity (number of loads, gallons, drums) of materials that were used, treated, transported, disposed, or otherwise handled by you;
 - ii. any billing information and documents (invoices, trip tickets, manifests) in your possession regarding arrangements made with your company to generate, treat, store, transport, and/or ship materials to the Site; and
 - iii. the names, titles, and areas of responsibility of any persons, including all Lipic employees, present and former, who were involved in or would have knowledge of such arrangements.
 - j. Provide any and all permits, applications, and correspondence between Lipic and any regulatory agencies regarding materials transported to or disposed of at the Site.
 - k. Provide copies of any correspondence between Lipic and any third party regarding materials transported to or disposed of at the Site.
 - l. Provide the identity of, and copies of any documents relating to, any other person who generated, treated, stored, transported, or disposed, or who arranged for the treatment, storage, disposal, or transportation of such materials to the Site.
5. Did Lipic ever generate other material(s) containing hazardous substances, not described in response to Questions 2 or 3, above, that were sent or transported to Safety Light Corporation, U.S. Radium Corporation, Lime Ridge Industries, Inc., USR Industries, Inc., USR Metals, Inc., Metreal Corporation, Isolite Corporation, U.S. Natural Resources, Inc., USR Chemical Products, Inc., USR Lighting Products, Inc., UNATCO Funding Corporation, Evenlite, Inc., Litebar Technology or Shield Source Incorporated, for disposal, repair or reclamation? If yes, please provide a detailed description of such other waste(s) and any and all related documentation.
6. For each question above, provide the name, title, area of responsibility, current address, and telephone number of all persons consulted in preparation of the answers, or who supplied documents reviewed or relied upon in the course of preparing your answers.

7. If you have reason to believe there may be persons able to provide more detailed or complete responses to any question contained herein, or who may be able to provide additional responsive documents, provide the names, titles, areas of responsibility, current addresses, and telephone numbers of such persons as well as additional information or documents they may have.
8. If you have any other information about other party(ies) who may have information that may assist the Agency in its investigation of the Site, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.
9. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If pertinent records or documents were destroyed or are missing, provide us with the following:
 - a. Your document retention policy;
 - b. A description of how the records were destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;
 - c. A description of the type of information that would have been contained in the documents; and
 - d. The name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.

You must respond in writing to this required submission of information within **30 calendar days** of your receipt of this letter. For a corporation, the response must be signed by an appropriately authorized corporate official. For all other entities, the response must be signed by an authorized official of that entity.

If, for any reason, you do not provide all information responsive to this letter, then in your answer to EPA you must: (1) describe specifically what was not provided, and (2) provide to EPA an appropriate reason why the information was not provided.

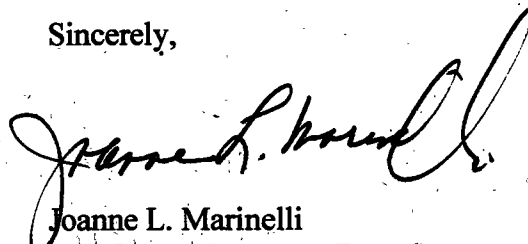
All documents and information should be sent to:

Harry R. Steinmetz (3HS62)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

If you have any questions concerning this request for information please contact Harry Steinmetz at (215) 814-3161. Legal questions can be referred to Humane Zia at (215) 814-3454.

Sincerely,



Joanne L. Marinelli
Chief, Cost Recovery Branch

cc: Humane Zia, Esq. (EPA)
Mitch Cron (EPA)
Jeff Whitehead (PADEP)
John Angevine (PADEP)

Enclosures:

- Enclosure 1: Business Confidentiality Claims/Disclosure of
Your Response to EPA Contractors and Grantees
- Enclosure 2: Definitions
- Enclosure 3: List of Contractors That May Review Your Response
- Enclosure 4: United States Radium Corporation Documents

Enclosure 1

**Business Confidentiality Claims, Disclosure of
Your Response to EPA Contractors and Grantees**

You are entitled to assert a claim of business confidentiality covering all or any part of the submitted information, in the manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted at the time the required information is submitted to EPA, EPA may make this information available to the public without further notice to Safety Light or its Affiliates.

EPA may contract with one or more independent contracting firms (see attached list of EPA contractors and cooperative agreement grantees) to review the documentation, including documents which you claim are confidential business information ("CBI"), which it submits in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreement(s) under the Senior Environmental Employment Program (SEE Enrollees). The SEE program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for agency personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to CERCLA, 42 U.S.C. § 9604(e)(7), and EPA's regulations at 40 C.F.R. § 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed. Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which it claims are CBI to any or all of the entities listed in the attachment, you must notify EPA in writing at the time you submits such documents.

Enclosure 2

Definitions

1. The term "**arrangement**" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
2. The term "**documents**" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, interoffice and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
3. The term "**hazardous substance**" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 [of the U.S. Code], (b) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of [CERCLA], (c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 U.S.C. Section 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 U.S.C. Section 6901 et seq.) has been suspended by Act of Congress), (d) any toxic pollutant listed under section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. Section 7412), and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 2606 of Title 15 [of the U.S. Code]. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).
4. The term "**pollutant or contaminant**" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any

Enclosure 3

[rev. 11/2013]

List of Contractors That May Review Your Response

Emergint Technologies, Inc.

Contract # EP-W-11-025

Subcontractor: Booz-Allen & Hamilton

Booz-Allen & Hamilton

Contract # EP-W-11-016

CDM-Federal Programs Corporation

Contract # EP-S3-07-06

Subcontractors: CDI-Infrastructure, LLC d/b/a L.R.
Kimball
Avatar Environmental LLC
Terradon Corporation

Chenega Global Services, LLC

Contract #EP-S3-09-02

EA Engineering, Science and Technology, Inc.

Contract #EP-S3-07-07

Subcontractor: URS

Eisenstein Malanchuck, LLP

Contract #EP-W-13-006

Subcontractors: R. M. Fields International, LLC
James C. Hermann & Associated

Hydrogeologic (HGL)

Contract #EP-S3-07-05

Subcontractor: CH2MHill
Sullivan International

Weston Solutions

Contract #EP-S3-1005

Tech Law, Inc.

Contract #EP-S3-1004

Tetra Tech NUS, Inc.

Contract #EP-S3-07-04

Kemron Environmental Services, Inc.

Contract #EP-S3-12-01,

Subcontractor: AECOM Technical Services, Inc.

Guardian Environmental Services Company, Inc.

Contract #EP-S3-12-02,

Subcontractors: Aerotek, Inc.,
Tetra Tech, Inc.

Environmental Restoration, LLC

Contract # EP-S3-12-03

Subcontractors: Aerotek, Inc
Haas Environmental, Inc,
Hertz

WRS Infrastructure & Environment, Inc.

Contract # EP-S3-12-05

ICF International

Contract # EP-BPA-12-W-0003

Cooperative Agreements

National Association of Hispanic Elderly

CA# CQ-835398

National Older Workers Career Center

CA# Q-835030

Enclosure 4

Formerly U.S. Radium Corp

SAFETY LIGHT CORPORATION

4150-A OLD BERWICK ROAD BLOOMSBURG, PA 17815
717-784-4344 TWX 610-653-2634

012681

CENT

→ FILE

22 January 1981

Joseph Lipic Pen Co.
2200 Gravois Avenue
St. Louis, MO 63104

ATTN: Mr. J. Pollard

RE: Ionotron Static Eliminator

Dear Sir:

Confirming our telephone conversation of 22 January 1981, please be advised as follows:

1. We received in the mail today from your firm an "Ionotron Static Eliminator", addressed originally to U.S. Radium Corp., 1427-57th St., Brooklyn, NY. Insofar as we formerly operated under the name "U.S. Radium Corp.", the package ultimately was delivered here.
2. As advised, the shipment was improperly labeled and packaged for mail shipment, based on current regulations. We found the gamma radiation from the opened unit to be dangerously high, (200 mR/h at contact with the "Ionotron" surface).
3. In our opinion, the unit you sent, as well as the remaining ones you have on hand, has no scrap value since we know of no firm who would attempt these days to reclaim any of the contaminated components of same. We recommend that you arrange to have them disposed of properly as radioactive waste as soon as possible.
4. Safety Light Corporation is not now in a position to arrange for disposal of any appreciable quantity of radium-226 material, but we shall arrange for disposal, at no charge, of the one unit you sent. Regarding disposal of your remaining units, we suggest you contact your Missouri Bureau of Radiological Health for guidance.

/...continued

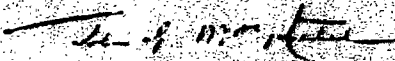
J. Pollard/J. Pipis Pen Co.
Page Two
22 January 1981

01-12-01

5. Meanwhile, because of the high radiation levels involved, we recommend that you ensure that
- (a) the units are properly shielded with steel or lead to prevent personnel overexposure,
 - (b) they be stored in a locked, ventilated room,
 - and (c) the entry to this room be posted with a "Caution-Radioactive Material" label (two are enclosed for your use).

Please advise if we can be of further assistance.

Very truly yours,
SAFETY LIGHT CORPORATION



John G. MacHutchin, Ph.D.
Radiation Safety Officer

JGM:mt
enclosure

✓ cc: E.M. Burtsavage, Sr.
PA Bureau of Radiation Protection

Steinmetz, Harry

From: Marinelli, Joanne
Sent: Thursday, March 06, 2014 1:01 PM
To: Steinmetz, Harry
Cc: Zia, Humane
Subject: FW: Enforcement Notifications (3) - PA

FYI

Joanne Marinelli
Hazardous Site Cleanup Division
Cost Recovery Branch (3HS62)
Phone: 215-814-3134
Fax: 215-814-3025

From: Ludzia, Peter
Sent: Thursday, March 06, 2014 12:54 PM
To: Pospisil, Gwen
Cc: Marinelli, Joanne
Subject: FW: Enforcement Notifications (3) - PA

We got Bill Early's approval on these three on March 5, 2014, so you're good to go from an enforcement notification perspective..

Peter J. Ludzia P.E
Office of Enforcement
U.S. EPA Region 3 (3HS60)
1650 Arch Street
Philadelphia, PA 19103
215/814-3224

From: Pospisil, Gwen
Sent: Thursday, March 06, 2014 10:01 AM
To: Ludzia, Peter
Cc: Marinelli, Joanne
Subject: FW: Enforcement Notifications (3) - PA

Peter-

Please see below. This is all I have – Joanne's email forwarding your email. The site I'm working on is North Penn Area 7 (which is the second site summary in the list). So, I was wondering if the enforcement notification has been approved. Even if it hasn't, can I still give the concurrence pkg. for the Consent Decree to Kathy Hodgkiss, or should we wait until the enforcement notification is approved?

Thank you,
Gwen E. Pospisil (3RC41)
U.S. Environmental Protection Agency
Office of Regional Counsel, Region III
1650 Arch St.
Philadelphia, PA 19103-2029

Tel. (215) 814-2678
Fax (215) 814-2603
pospisil.gwen@epa.gov

CONFIDENTIAL: THIS TRANSMISSION MAY CONTAIN ENFORCEMENT SENSITIVE, DELIBERATIVE, ATTORNEY-CLIENT, ATTORNEY-WORK PRODUCT OR OTHERWISE PRIVILEGED MATERIAL. DO NOT RELEASE WITHOUT APPROPRIATE REVIEW. IF THIS MESSAGE HAS BEEN RECEIVED BY YOU IN ERROR, YOU ARE INSTRUCTED TO DELETE THIS MESSAGE FROM YOUR MACHINE AND ALL STORAGE MEDIA WHETHER ELECTRONIC OR HARD COPY.

From: Marinelli, Joanne
Sent: Thursday, February 27, 2014 4:31 PM
To: Joseph, Ben; Steinmetz, Harry
Cc: Zia, Humane; Pospisil, Gwen; Garcia, Jefferje; Gardner, Allison
Subject: FW: Enforcement Notifications (3) - PA

FYI

Joanne Marinelli
Hazardous Site Cleanup Division
Cost Recovery Branch (3HS62)
Phone: 215-814-3134
Fax: 215-814-3025azar

From: Ludzia, Peter
Sent: Thursday, February 27, 2014 4:28 PM
To: Ajl, Diane; Armstrong, Joan; Beers, Samantha; Borsellino, Ron; Colip, Matthew; D'Andrea, Michael; duteau, helen; Early, William; Ferrell, Mark; Garvin, Shawn; Hodgkiss, Kathy; Howell, Amie; Koffi, LaRonda; Lewis, Jacqueline; Libertz, Catherine; Ludzia, Peter; Marinelli, Joanne; Melvin, Karen; Miller, Linda; Mohollen, Laura; Mulkey, Marcia; Parent, Suzanne; Rodrigues, Cecil; Ryan, Daniel; schaffer, joan; Smith, Bonnie; Smith, William (Region 3); Talbot, Cheryl; White, Terri-A
Subject: Enforcement Notifications (3) - PA

Site/Facility and Location: North Penn Area 5 Superfund Site (Site), Operable Unit 2 (OU2), formerly Stabilus, Inc., currently Constantia Colmar, Inc., 92 County Line Road, Montgomery County, Colmar, PA

Proposed Action: Administrative Order on Consent (Order) for Vapor Intrusion (VI) assessment

Basis for Action: On September 7, 2011, EPA issued a Record of Decision (ROD) for Interim Action at OU2 at the Site. The ROD stated the presence of hazardous substances at the Site and determined that a threat to public health, welfare, and/or the environment exists due to the actual or threatened release of hazardous substances from the Site. Special Notice Letters were issued on October 25, 2011. As a result of pre-design investigations performed in the implementation of the ROD, the PRPs discovered elevated trichloroethylene (TCE) in the groundwater adjacent to the building, triggering the need for a VI assessment. Stabilus, Inc. and Constantia Colmar, Inc. (collectively, the Respondents) have signed onto an Order to perform a VI assessment and potential pre-emptive mitigation.

Proposed Recipients: Stabilus, Inc. and Constantia Colmar, Inc.

Statute/Regulation: Sections 104 and 106 of CERCLA, 42 U.S.C. §§ 9604, 9606.

Sensitivity Determination: None.

State Coordination: The EPA Remedial Project Manager (RPM) has coordinated with the Pennsylvania Department of

Environmental Protection (PADEP) for the issuance of the ROD, resulting negotiations, and probable issuance of a VI Order at the North Penn 5 Site, OU2. EPA will formally notify the Commonwealth of its intent to issue the Order to the Respondents. In addition, Vince Brisini, Deputy Secretary for Waste, Air and Radiation Management and Cosmo Servidio, Director of the Southeast Regional Office of PADEP have been advised of this action.

Site/Facility & Location: North Penn- Area 7 Superfund Site at the former Spar-Fin, Inc. Facility, Montgomery County, Pennsylvania.

Proposed Action: EPA proposes to sign a Consent Decree with the Jack Goodyear Estate (Estate) and its representatives to resolve the Estate's liability for past and future Site costs. The settlement will include payments of \$340,000 from the financial assets of the Estate, and \$166,718.25 (amount could decrease slightly based on fees to be deducted at settlement) from the net proceeds from the sale of the Estate's portion of the Site property, for a total recovery by EPA of \$506,718.25. Under a separate settlement agreement with the Estate, the Commonwealth of Pennsylvania will receive \$60,000 from the financial assets of the Estate, and \$29,420.87 of the net proceeds from the sale of the Estate's portion of the Site property.

Basis for Action: The Settling Parties are liable as both a current owner of a portion of the Site property, and as a person who owned the Site at the time hazardous substances were disposed of at the Site pursuant to CERCLA Sections 107(a)(1) and 107(a)(2), respectively.

Settling Parties: The Jack Goodyear Estate, and Marie F. Goodyear and Richard W. Baum, as Co-Executors of the Estate of Jack H. Goodyear

Sensitivity Determination: None.

Statute/Regulation: Proceeding Under Section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. § 9622(h).

State Coordination: Region III has coordinated this settlement action with Gina M. Thomas, Esq., PADEP. In addition, Vince Brisini, Deputy Secretary for Waste, Air and Radiation Management and Cosmo Servidio, Director of the Southeast Regional Office of PADEP have been advised of this action.

Site/Facility & Location: Safety Light Site, 4150-A Old Berwick Road, Bloomsburg (Columbia County), Pennsylvania

Proposed Action: Issuance of a CERCLA §104(e) Information Request Letter

Basis for Action: The Proposed Recipient is a surviving corporation of a company who is believed to have sent waste to the site for disposal.

Proposed Recipient: Lipic Recognition

Sensitivity Determination: None.

Statute/Regulation: CERCLA Section 104(e), 42 U.S.C. § 9604(e)

State Coordination: Region III has been in coordination with Jeff Whitehead, RSO, PADEP (Harrisburg, PA), and John Angevine, Geologic Specialist, PADEP (Williamsport, PA) on this Site. In addition, Vince Brisini, Deputy Secretary for Waste, Air and Radiation Management and James Miller, Director of the Northcentral Regional Office of PADEP have been advised of this action.

Peter J. Ludzia P.E
Office of Enforcement
U.S. EPA Region 3 (3HS60)
1650 Arch Street
Philadelphia, PA 19103
215/814-3224

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

Postmark
Here

Sent To

LIPIC'S RECOGNITION

Street, Apt. No.;
or PO Box No.

10030 BIG BEND RD.

City, State, ZIP+4

ST. LOUIS, MO 63122-6422

5392 2401 1000 0152 1002

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail or Priority Mail.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Zipie's Recognition
10030 Big Bend Rd.
St. Louis, MO
62122-6422

2. Article Number

(Transfer from service label)

7001 2510 0001 1042 2635

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Bonnie Parker ☐ Agent
☒ Addressee

B. Received by (Printed Name)

Bonnie Parker

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

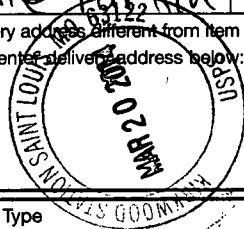
If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES POSTAL SERVICE

21 MAR 14



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender. Please print your name, address, and ZIP+4 in this box •

US EPA (3HS62)
HARRY R. STEINMETZ
1650 ARCH ST
PHILADELPHIA, PA. 19103-2029

